

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CONNIE KELLEY and DONALD KELLEY,	:	CIVIL ACTION
	:	
	:	
Plaintiffs,	:	
	:	
v.	:	NO. 11-5537
	:	
UNITED STATES OF AMERICA,	:	
	:	
Defendant.	:	
	:	

ORDER

AND NOW, this 20th day of April 2012, upon consideration of defendant's Motion to Dismiss or, in the Alternative, for Summary Judgment (Document No. 13, filed January 13, 2012), Plaintiffs' Memorandum of Law in Opposition to Defendant, Ken Salazar's Motion to Dismiss/Motion for Summary Judgment (Document No. 15, filed February 3, 2012), and defendant's Reply Brief in Support of Defendant's Motion to Dismiss (Document No. 16, filed February 16, 2012), for the reasons set forth in the Memorandum dated April 20, 2012, **IT IS ORDERED** as follows:

1. Defendant's Motion to Dismiss is **GRANTED**;
2. The action is **DISMISSED WITH PREJUDICE**; and
3. Defendant's alternative Motion for Summary Judgment is **DENIED AS MOOT**.

IT IS FURTHER ORDERED that the Clerk of Court shall **MARK** the case **CLOSED**.

BY THE COURT:

/s/ Hon. Jan. E. DuBois
JAN E. DUBOIS, J.